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Report of the Committee on Relations with the Host Country

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Note

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Chapter I
Introduction

1. The Committee on Relations with the Host Country was established pursuant to General Assembly resolution 2819 (XXVI). The Assembly, by its resolution 70/121, decided to include in the provisional agenda of its seventy-first session the item entitled "Report of the Committee on Relations with the Host Country". The present report is submitted pursuant to resolution 70/121.

2. The report consists of four chapters. The recommendations and conclusions of the Committee are contained in chapter IV.

Chapter II
Membership, composition, terms of reference and organization of the work of the Committee

3. The Committee is composed of 19 members, as follows:

Bulgaria	Iraq
Canada	Libya
China	Malaysia
Costa Rica	Mali
Côte d'Ivoire	Russian Federation
Cuba	Senegal
Cyprus	Spain
France	United Kingdom of Great Britain and Northern Ireland
Honduras	
Hungary	United States of America

4. The Bureau of the Committee consists of the Chair, the three Vice-Chairs, the Rapporteur and a representative of the host country who attends Bureau meetings ex officio. During the reporting period, the Bureau was composed as follows:

Chair:

Nicholas Emiliou (Cyprus)

Vice-Chairs:

Krassimira Beshkova (Bulgaria)
Giles Andrew Norman — Catherine Boucher (Canada)
Koffi Narcisse Date (Côte d'Ivoire)

Rapporteur:

Georgina Guillén-Grillo (Costa Rica)

5. At its 277th meeting, the Committee was informed of the departure of Giles Andrew Norman (Canada), who had served as Vice-Chair. At its 278th meeting, the Committee welcomed Catherine Boucher (Canada) and Krassimira Beshkova (Bulgaria) to serve as Vice-Chairs.

6. The terms of reference of the Committee were determined by the General Assembly in its resolution 2819 (XXVI). In May 1992, the Committee adopted, and in March 1994 slightly modified, a detailed list of topics for its consideration, which is set out in annex I to the present report. The Committee issued one document during the reporting period, which is listed in annex II.

7. During the reporting period, the Committee held the following meetings: the 275th meeting, on 3 February 2016; the 276th meeting, on 19 April 2016; the 277th meeting, on 29 July 2016; the 278th meeting, on 29 September 2016; and the 279th meeting, on 21 October 2016.

Chapter III
Topics dealt with by the Committee

Entry visas issued by the host country

8. At the 275th meeting, the representative of the Russian Federation referred to his statement made at the 273rd meeting, held on 5 October 2015, where he had informed the Committee of the inability of the Chair of the Federation Council of the Federal Assembly of the Russian Federation, Valentina Matvienko, to attend the meetings held under the auspices of the Inter-Parliamentary Union (IPU) from 31 August to 2 September 2015 at United Nations Headquarters, due to issues concerning the issuance of an entry visa by the host country. In that regard, he wished to react to a note verbale dated 30 October 2015 from the United States Mission to the United Nations addressed to his Mission, which had been circulated as a document of the Committee (A/AC.154/410, annex) regarding the matter. He stated that the Russian Federation maintained its position that access for participants to IPU meetings was not a matter of courtesy but a legal obligation of the host country. The Russian Federation had called upon the host country to cease its selective policy in that regard and had expressed its hope that visas to delegates invited to such meetings would be issued in a timely manner and without restrictions of any kind. He also stated that the Russian Federation reserved the right to revert to the issue within the Committee.

9. The representative of the host country recalled that, when the issue had first been raised bilaterally, the host country had responded to the Russian Federation in writing, explaining the reasons why the request for a visa for Ms. Matvienko had been pending. He wished to confirm that his Government's position on the matter remained unchanged.

10. At the 277th meeting, the representative of Cuba stated that his Mission regretted that, in recent months, the processing of requests for visas of officials and administrative personnel of the Mission had been delayed. He called upon the host country to complete the procedures related to the issuance of visas for officials and administrative personnel of the Mission in an appropriate period of time, in order to avoid any negative impact on the Mission operations. He also wished to emphasize that the host country had the responsibility to ensure that the provisions of the 1961 Vienna Convention on Diplomatic Relations and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations were complied with.

11. The representative of the host country explained that an unexpectedly larger volume of requests for visas had caused the delays. He confirmed that his Mission had worked bilaterally with the Permanent Mission of Cuba to the United Nations and other permanent missions to make sure that any outstanding visa requests were expedited. He further invited delegations facing particular issues to contact his Mission directly so that close attention could be paid to any outstanding request.

Chapter IV
Recommendations and conclusions

12. **At its 279th meeting, on 21 October 2016, the Committee approved the following recommendations and conclusions:**

(a) The Committee reaffirms the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, the provisions of the 1961 Vienna Convention on Diplomatic Relations and the 1946 Convention on the Privileges and Immunities of the United Nations;

(b) Considering that the maintenance of appropriate conditions for the delegations and missions accredited to the United Nations is in the interest of the United Nations and all Member States, the Committee appreciates the efforts made by the host country to that end and anticipates that all issues raised at its meetings, including those referred to below, will be duly settled in a spirit of cooperation and in accordance with international law;

(c) The Committee notes that the observance of privileges and immunities is an issue of great importance. The Committee emphasizes the need to solve, through negotiations, problems that might arise in this regard for the normal functioning of the delegations and the missions accredited to the United Nations. The Committee urges the host country to continue to take appropriate action, such as training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities. If violations occur, the Committee urges the host country to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

(d) Considering that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning, the Committee appreciates the efforts made by the host country to this end and anticipates that the host country will continue to take all measures necessary to prevent any interference with the functioning of the missions;

(e) The Committee notes that permanent missions continue to implement the Diplomatic Parking Programme and shall remain seized of the matter, with a view to continuously ensuring the proper implementation of the programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

(f) The Committee requests the host country to continue to bring to the attention of New York City officials reports about other problems experienced by permanent missions or their staff in order to improve the conditions for their functioning and to promote compliance with international norms concerning diplomatic privileges and immunities, and to continue to consult the Committee on those important issues;

(g) The Committee recalls that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI), the Committee shall consider and

advise the host country on issues arising in connection with the implementation of the Headquarters Agreement;

(h) The Committee anticipates that the host country will continue to enhance its efforts to ensure the issuance of entry visas to representatives of Member States pursuant to article IV, section 11, of the Headquarters Agreement to enable travel, in a timely manner, to New York on official United Nations business, including to attend official United Nations meetings, and notes that a number of delegations have requested shortening the time frame applied by the host country for the issuance of entry visas to representatives of Member States, since this time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings; the Committee also anticipates that the host country will continue to enhance efforts to facilitate the participation, including visa issuance, of representatives of Member States in other United Nations meetings, as appropriate. The Committee also remains seized of particular entry visa-related issues raised at its meetings and anticipates that these issues shall be duly addressed in a spirit of cooperation and in accordance with international law;

(i) Concerning travel regulations issued by the host country with regard to personnel of certain missions and staff members of the Secretariat of certain nationalities, the Committee urges the host country to remove the remaining travel restrictions and, in that regard, notes the positions of the affected Member States, as reflected in the report of the Secretary-General, and of the host country;

(j) The Committee stresses the importance of permanent missions, their personnel and Secretariat personnel meeting their financial obligations;

(k) The Committee stresses the need for the permanent missions and the United Nations to benefit from appropriate banking services and anticipates that the host country will continue to assist the permanent missions accredited to the United Nations and their staff in obtaining such services;

(l) The Committee welcomes the participation, in its work, of States Members of the United Nations that are not members of the Committee. The Committee also welcomes the contribution of the Secretariat to its work and emphasizes its importance. The Committee is convinced that its important work has been strengthened by the cooperation of all concerned;

(m) The Committee wishes to reiterate its appreciation to the representative of the United States Mission to the United Nations in charge of host country affairs, to the Host Country Affairs Section of the United States Mission and to the Office of Foreign Missions, as well as to local entities, in particular the Mayor's Office for International Affairs, that participate in its meetings and contribute to its efforts to help to accommodate the needs, interests and requirements of the diplomatic community and to promote mutual understanding between the diplomatic community and the people of the City of New York.

Annex I

List of topics for consideration by the Committee

1. Question of the security of missions and the safety of their personnel.
2. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, including:
   (a) Entry visas issued by the host country;
   (b) Acceleration of immigration and customs procedures;
   (c) Exemption from taxes.
3. Responsibilities of permanent missions to the United Nations and their personnel, in particular the problem of claims of financial indebtedness and procedures to be followed with a view to resolving the issues relating thereto.
4. Housing for diplomatic personnel and for Secretariat staff.
5. Question of privileges and immunities:
   (a) Comparative study of privileges and immunities;
   (b) Convention on the Privileges and Immunities of the United Nations and other relevant instruments.
6. Host country activities: activities to assist members of the United Nations community.
7. Transportation: use of motor vehicles, parking and related matters.
8. Insurance, education and health.
9. Public relations of the United Nations community in the host city and the question of encouraging the mass media to publicize the functions and status of permanent missions to the United Nations.
10. Consideration and adoption of the report of the Committee to the General Assembly.

Annex II

List of documents

A/AC.154/410	Letter dated 30 October 2015 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chair of the Committee on Relations with the Host Country

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